

S/N 10/549,941

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|-------------------------------|-------------------|----------------|
| Applicant: | JOHNSEN | Examiner: | Nguyen, Son T. |
| Serial No.: | 10/549,941 | Group Art Unit: | 3643 |
| Filed: | September 13, 2005 | Docket No.: | 07885.0093USWO |
| Due Date: | June 10, 2009 | Confirmation No.: | 7107 |
| Title: | SOIL MEMBRANE FORMING MIXTURE | | |

Electronically filed on April 6, 2010

NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-12, 14, 15, 18, 20, 22, 24, 26, 28, 30, 32, and 58-69 of the above-identified application, as set forth in the Office Action mailed October 7, 2009.

Payment is being made via credit card in the amount of \$270.00 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 41.20(b)(1).

Also enclosed is a Petition for three-month extension of time to respond to the final rejection, thereby extending said period of response from January 7, 2010 to April 7, 2010.

Payment is being made via credit card to cover the required fee.

Please charge any additional fees or credit any overpayment to Merchant & Gould P.C.,
Deposit Account No. 13-2725.



Dated: April 6, 2010

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

By

A handwritten signature in dark ink, appearing to read "Dennis R. Daley". The signature is fluid and cursive, written over a horizontal line.

Dennis R. Daley
Reg. No. 34,994
DRD/mls